

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

NO. 4:20-CR-269-Y

ERIC PRESCOTT KAY

**GOVERNMENT’S UNOPPOSED MOTION TO EXTEND TIME TO
RESPOND TO LOS ANGELES TIMES COMMUNICATIONS LLC’S
MOTIONS TO INTERVENE AND UNSEAL JUDICIAL RECORDS**

On December 20, 2021, the Los Angeles Times Communications LLC (the Los Angeles Times) filed motions asking that the Court permit it to intervene in this case for the limited purpose of seeking the unsealing of judicial records and to make public docket entries that are sealed from public view as well as the government’s witness and exhibit lists (Dkt. 89, 90). The Los Angeles Times also filed a request to circumvent Local Criminal Rule 57.10(a) and proceed without local counsel.¹

The government has reviewed the motions filed by the Los Angeles Times and is in the process of assessing and responding to them, but in light of the holidays and the nature of the relief sought by the Los Angeles Times, the government respectfully requests that its deadline to respond to the Los Angeles Times’ motions be extended until on or before January 7, 2022. The government has conferred with counsel for the Los Angeles Times, who indicated they are not opposed to the government’s request, but also

¹ Counsel for the Los Angeles Times did not confer with the government on their request, but in any event, the government defers to the Court’s determination as to whether the requested action is permissible.

noted that their non-opposition should “not be characterized as a factor undermining [its] request for the court to reach this issue at the earliest possible date.”

Respectfully submitted,

CHAD E. MEACHAM
United States Attorney

s/ Lindsey Beran
LINDSEY BERAN
Assistant United States Attorney
Texas State Bar No. 24051767
ERRIN MARTIN
Assistant United States Attorney
Texas State Bar No. 24032572
JOSEPH LO GALBO
Assistant United States Attorney
New Jersey Bar No. 072452014
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214.659.8600

CERTIFICATE OF CONFERENCE

I certify that on December 30, 2021, counsel for the Los Angeles Times Communications LLC, Christopher Cyrus, indicated that he had no opposition to this motion. I further certify that out of an abundance of caution I contacted other counsel on the docket sheet and on whom the Los Angeles Times’ motion had been served as follows:

- (1) On December 29, 2021 and December 30, 2021, the government asked counsel for the defendant, Michael Molfetta and Reagan Wynn, whether the defendant had a position on the government’s motion and to date has received no response.
- (2) On December 30, 2021, counsel for the Los Angeles Angels, John Cayce, indicated he had no opposition to this motion and would join in the relief sought such that any opposition filed by the Los Angeles Angels also be due on or before January 7, 2022.

s/ Lindsey Beran
Lindsey Beran
Assistant United States Attorney